

Notice of Allowability

Application No.

10/607,971

Examiner

Alexander Jamal

Applicant(s)

KOBAYASHI ET AL.

Art Unit

2614

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment/arguments filed 4-27-2007.
2. ☒ The allowed claim(s) is/are 1-12, 17-20.
3. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

[Signature]
COUNTS KUTZ
CURRENTLY PATENT EXAMINER
TECHNOLOGY CENTER 2600

DETAILED ACTION

Response to Applicant's Argument

1. Based upon the submitted arguments received 4-27-2007, examiner withdraws all rejections to all claims.
2. Examiner submits prior art patent 5144654 to Kelley et al for use in examiner's statement for reasons for allowance.

Allowable Subject Matter

3. **Claims 1-12,17-20** are allowed over the prior art of record
4. The following is an examiner's statement of reasons for allowance:

Examiner notes that applicant specifically invoked the "means plus function" portion to 35USC 112 4th paragraph. Applicant argues that since a 'means for sequentially making calls' element in the claims limits the applicant to the means disclosed in the specification, specifically as shown in Fig. 3B (applicant's remarks page 6), then applicant's claimed invention is not disclosed by any conventional dialing means. Examiner notes that making sequential calls automatically is very well known and submits prior art patent to Kelley (5144654). Kelley discloses an OCR scanner that may read in telephone numbers that may be sequentially dialed after a user indication (onhook/offhook) from the user (ABSTRACT). Examiner additionally contends that a user dialing sequential numbers from a phone directory is also a means for sequentially making calls. However, in the examiner's opinion, it would not have been obvious to a person of ordinary skill in the art first to perform the **exact and specific** algorithm consisting of the steps of Fig. 3B in order to provide a 'means for sequentially making calls', in conventional systems and the systems disclosed by Kelley (5144654) and Herzig (6594503).

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance".

Art Unit: 2614

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Jamal whose telephone number is 571-272-7498. The examiner can normally be reached on M-F 9AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Curtis A Kuntz can be reached on 571-272-7499. The fax phone numbers for the organization where this application or proceeding is assigned are **571-273-8300** for regular communications and **571-273-8300** for After Final communications.

Examiner Alexander Jamal
May 22, 2007